



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: J. Henslee & P. N. Friedman

Serial No.: 10/816, 326

Filed: April 1, 2004

For: REAGENTS AND METHODS  
USEFUL FOR DETECTING  
DISEASES OF THE BREAST

Examiner: (not assigned)

Group Art Unit: 1645

Case No.: 5972.US.D3

CERTIFICATE OF MAILING (37 CFR  
1.8 (a))

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the:

Mail Stop Amendment  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450, on:

Date of Deposit: May 16, 2005

*Kathleen Boettcher* 5/16/05  
Kathleen Boettcher Date

TRANSMITTAL LETTER

Mail Stop Amendment  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Enclosed herewith is an Information Disclosure Statement for J. Henslee & P. N. Friedman, for REAGENTS AND METHODS USEFUL FOR DETECTING DISEASES OF THE BREAST, the specification of which was filed on April 1, 2004, and received Serial No. 10/816, 326.

Also enclosed are: Form PTO 1449 (in duplicate)  
Return-receipt postcard

The Commissioner is hereby authorized to charge any additional Filing Fees required under 37 CFR 1.16, as well as any patent application processing fees under 37 CFR 1.17 associated with this communication for which full payment has not been tendered, to Deposit Account No. 01-0025. A duplicate copy of this sheet is enclosed.

Respectfully submitted,  
J. Henslee & P. N. Friedman

ABBOTT LABORATORIES  
Customer Number: 23492  
Telephone: (847) 935-1729  
Facsimile: (847) 938-2623

*Cheryl L. Becker*  
Cheryl L. Becker  
Registration No. 35,441  
Attorney for Applicants

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**



Applicant: J. Henslee & P. N. Friedman

Serial No.: 10/816, 326

Filed: April 1, 2004

For: REAGENTS AND METHODS  
USEFUL FOR DETECTING  
DISEASES OF THE BREAST

Examiner: (not assigned)

Group Art Unit: 1645

Case No.: 5972.US.D3

**CERTIFICATE OF MAILING (37 CFR  
1.8 (a))**

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the:

Mail Stop Amendment  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450, on:

Date of Deposit: May 16, 2005

Kathleen Boettcher 5/16/05  
Kathleen Boettcher Date

**INFORMATION DISCLOSURE STATEMENT**

Mail Stop Amendment  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits under 37 CFR § 1.97(b).

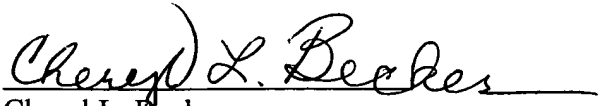
Applicants submit herewith Form PTO 1449 listing the references cited in this Information Disclosure Statement. Applicants respectfully request that the Examiner (1) initial each reference listed on the enclosed Form PTO 1449 indicating that the Examiner has considered and made those references of record in this application and (2) return a copy of the initialed Form PTO 1449 to Applicants. Copies of the cited references have been previously submitted in U.S. Patent Application Serial No. 09/975,502, filed October 11, 2001. The aforementioned earlier application is relied on for an earlier, patent application filing date under 35 U.S.C. 120.

No charge is required for the submission of this Information Disclosure Statement under 37 C.F.R. § 1.97 (b). The Commissioner is hereby authorized to charge any

additional filing fees required under 37 C.F.R. § 1.17 concerning this transmission, or to credit any overpayment to Deposit Account No. 01-0025.

ABBOTT LABORATORIES  
Customer Number: 23492  
Telephone: (847) 935-1729  
Facsimile: (847) 938-2623

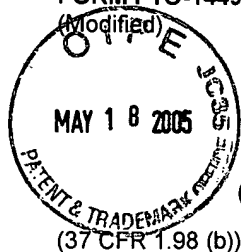
Respectfully submitted,  
J. Henslee & P. N. Friedman

  
Cheryl L. Becker  
Registration No. 35,441  
Attorney for Applicants

DATE: May 16, 2005

SHEET 1 of 3

## Form PTO - 1449 (Modified)

FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICEINFORMATION DISCLOSURE  
STATEMENT BY APPLICANT

(Use several sheets if necessary)

ATTY. DOCKET NO.

5973.US.D3

SERIAL NO.

10/816,326

APPLICANT

J. Henslee &amp; P. N. Friedman

FILING DATE

April 1, 2004

GROUP

1645

(37 CFR 1.98 (b))

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL		PATENT NUMBER	ISSUE DATE	PATENTEE	CLASS	SUB CLASS	FILING DATE
	A1	5,668,267	09/16/1997	Watson, et al.			
	A2	4,816,567	03/28/1989	Cabilly, et al.			
	A3	4,946,778	08/07/1990	Ladner, et al.			
	A4	5,254,458	10/19/1993	Mimms			
	A5	2002/0009738	01-2002	Houghton, et al.			
	A6	6,379,671	04/30/2002	Colpitts			
	A7	2003/0059432	03/2003	Dillon and Fanger			

## FOREIGN PATENT OR PUBLISHED FOREIGN PATENT APPLICATION

		DOCUMENT NUMBER	PUBLIC- ATION DATE	COUNTRY OR PATENT OFFICE	CLASS	SUB CLASS	TRANS- LATION	
							YES	NO
	B1	97/34997	25 Sep 97	PCT				
	B2	2276169	21 Sep 94	GB				
	B3	84/03564	13 Sep 84	EPO				
	B4	0473065	04 Mar 92	EPO				
	B5	0326100	11 Sep 96	EPO				
	B6	0406473	20 Sep 95	EPO				
	B7	0273115	07 Sep 94	EPO				
	B8	0425633	27 Jul 94	EPO				
	B9	0424634	14 Jun 95	EPO				
	B10	95/20681	03 Aug 95	PCT				
	B11	92/01936	06 Feb 92	PCT				
	B12	98/21331	05-1998	WO				

## OTHER DOCUMENTS (Including Author, Title, Date, Place of Publication)

	C1	G.N. Hortobagyi, et al., <u>CA Cancer J Clin</u> 45:199-226 (1995)
	C2	J.R. Harris, et al. <u>Cancer: Principles and Practice of Oncology</u> , Fourth Edition, 1264-1332, Philadelphia, PA: J/B. Lippincott Co. (1993)
	C3	C.J. Wright, et al., <u>Lancet</u> 346:29-32 (1995)
	C4	M.K. Schwartz, <u>Cancer: Principles and Practice of Oncology</u> , Vo.1, Fourth Edition, pp. 531-542, Philadelphia, PA: J/B Lippincott Co. (1993)
	C5	K. Pantel, et al., <u>Onkologie</u> 18:394-401 (1995)
	C6	G.E. Hanks, et al, <u>Cancer: Principles and Practice of Oncology</u> , Vol. 1, Fourth Edition, pp. 1073-1113, Philadelphia, PA: JB Lippincott Co. (1993)
	C7	E.R. Frykberg, et al., <u>Cancer</u> 74:350-361 (1994)

EXAMINER

DATE CONSIDERED

EXAMINER: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

(Form PTO-1449)

DATE: May 16, 2005

SHEET 2 of 3

## Form PTO - 1449 (Modified)

FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE (Modified) PATENT AND TRADEMARK OFFICE	ATTY. DOCKET NO.	SERIAL NO.
INFORMATION DISCLOSURE STATEMENT BY APPLICANT  (Use several sheets if necessary)	5973.US.D3	10/816,326
	APPLICANT	
	J. Henslee & P. N. Friedman	
(37 CFR 1.98 (b))	FILING DATE	GROUP
	April 1, 2004	1645

## OTHER DOCUMENTS (Including Author, Title, Date, Place of Publication)

C8	T.E. Creighton, et al. <u>Proteins: Structures and Molecular properties, Second Edition</u> , pp. 78-102, New York, NY:WH Freeman and Co. (1993)
C9	L. Miele, et al., <u>J. Endocrinol. Invest.</u> 17:679-692 (1992)
C10	R.Bally, et al., <u>J. Mol Biology</u> 206:153-170 (1989)
C11	I. Morize, et al., <u>J. Mol Biol</u> , 194:725-739 (1987)
C12	T.C. Umland, et al., <u>Nature Structural Biology</u> , 1:538-545 (1994)
C13	Grunewald, K., et al., <u>Lab. Invest.</u> , Mammaglobin Gene Expression: A Superior Marker fo Brast Cancer Cells in Peripheral Blood in Comparison to Epidermal-Growth-Factor Receptro and Cytokeratin-19, 80: 1071-1077, (2000)
C14	T.C. Umland, et al., <u>J. Mol. Biol.</u> 224:441-448 (1992)
C15	O.A. Duffort, et al., <u>Molecular Immunology</u> 28:301-309 (1991)
C16	K. Leitermann, et al., <u>J. Of Allergy and Clinical Immunology</u> , 74:147-153 (1991)
C17	M. Parker et al., <u>Nature</u> , 298:92-94 (1982)
C18	J.P. Morgenstern, et al., <u>PNAS</u> , 88:9690-9694 (1991)
C19	M.A. Watson, et al., <u>Cancer Research</u> , 56:860-865 (1996)
C20	M.A. Watson, et al., <u>Oncogene</u> , 16: 817-824 (1998)
C21	O. Zach, et al., <u>Detection of Circulating Mammary Carcinoma Cells in the Peripheral Blood of Breast Cancer Patients Via a Nested Reverse Transcriptase Polymerase Chain Reaction Assay for Mammaglobin mRNA J. Clin. Oncol</u> , 17:2015-2019 (1999)
C22	H.J. Kahn, et al., <u>RT-PCR amplification of CK19 mRNA in the Blood of Breast Cancer Patients: Correlation with Established Prognostic Parameters Breast Cancer Res. Treat</u> , 60: 143-151 (2000)
C23	Isao Miysahiro, et al., <u>Molecular Strategy for Detecting Metastatic Cancers with Use of Multiple Tumor-specific MAGE-A Genes, Clinical Chemistry</u> , 47: 3 505-512 (2001)
C24	Smith & Waterman, <u>Advances in Applied Mathematics</u> 2:482-442 (1981)
C25	Dayhoff, <u>Atlas of Protein Sequences and Structure</u> , M.O. Dayhoff, ed. 5 Suppl. 3:353-358
C26	Gribskov, <u>Nucl. Acids Res.</u> , 14(6): 6745-6763 (1986)
C27	F. Wold, <u>Posttraslational Protein Modifications: Perspectives and Prospects</u> , pp. 1-12, B.C. Johnson, Ed., Academic Press, New York (1983)
C28	Seifter, et al., <u>Analysis for Protein Modification and Non Protein Cofactors, Meth. Enzymol.</u> , 182: 626-464 (1990)

EXAMINER	DATE CONSIDERED
EXAMINER: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	

(Form PTO-1449)

DATE: May 16, 2005

SHEET 3 of 3

## Form PTO - 1449 (Modified)

FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE (Modified) PATENT AND TRADEMARK OFFICE	ATTY. DOCKET NO. 5973.US.D3	SERIAL NO. 10/816,326
INFORMATION DISCLOSURE STATEMENT BY APPLICANT  (Use several sheets if necessary)	APPLICANT J. Henslee & P. N. Friedman	
	FILING DATE April 1, 2004	GROUP 1645

(37 CFR 1.98 (b))

## OTHER DOCUMENTS (Including Author, Title, Date, Place of Publication)

C29	Rattan, et al., <u>Protein Synthesis: Posttranslational Modifications and Aging</u> , <u>Ann N.Y. Acad Sci.</u> , 663: 48-62 (1992)
C30	Inbar, et al., <u>Proc. Natl. Acad. Sci. USA</u> , 69: 2659-2662 (1972)
C31	Winter, et al., <u>Nature</u> , 349: 293-299 (1991)
C32	Ehrlich, et al., <u>Biochem</u> , 19: 4091-4096 (1980)
C33	Huston, et al., <u>Proc. Natl. Acad. Sci. USA</u> 85: 5879-5883 (1988)
C34	Riechmann, et al., <u>Nature</u> , 332: 323-327 (1988)
C35	Verhoeyan, et al., <u>Science</u> 239: 1534-1536 (1988)
C36	J. Hodgson, <u>Bio/Technology</u> 9:19-21 (1991)
C37	S. Braxton, et al., <u>Biochemistry</u> , 31:7796-7801 (1992)
C38	S.B.P. Athauda, et al., <u>J. Biochem (Tokyo)</u> 113 (6):742-746 (1993)
C39	Gluzman, <u>Cell</u> , 23:175 (1981)
C40	Price, et al., <u>J. Biol. Chem</u> 244:917 (1969)
C41	Kohler and Milstein, <u>Nature</u> 256:495-497 (1975)
C42	Kozbor, et al., <u>Immun. Today</u> , 4:72 (1983)
C43	Cole, et al., <u>Monoclonal Antibodies and Cancer Therapy</u> , Alan r. Liss, Inc., New York, NY pp. 77-96 (1985)
C44	Sumerdon, et al., <u>Nucl. Med. Biol</u> , 17:247-254 (1990)
C45	Griffin, et al., <u>J. Clin Onc</u> , 9:631-640 (1991)
C46	R.B. Lauffer, <u>Magnetic Resonance in Medicine</u> , 22:339-342 (1991)
C47	Garnett and Baldwin, <u>Cancer Research</u> 46:2407-2412 (1986)
C48	Pastan, et al., <u>Cell</u> 47:641-648 (1986)
C49	Goodwin and Meares, <u>Cancer Supplement</u> , 80:2675-2680 (1977)
C50	Mimms, et al., <u>Virology</u> 176:604-619 (1990)
C51	V. Van Heyningen <u>Methods in Enzymology</u> , Vol. 121, p. 472 (1986)
C52	X. Qiu, et al., <u>Journal of Immunology</u> , Vol. 156, p. 3350 (1996)
C53	F.L. Graham, et al., <u>J. Gen. Vir.</u> , 36:59-72 (1977)
C54	S.R. Kain, et al., <u>Biotechniques</u> , 17:982 (1994)

EXAMINER	DATE CONSIDERED
EXAMINER: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	

(Form PTO-1449)